

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2018

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.623 of 2018
and
W.M.P.No.771 of 2018

The Secretary,
Bishop Thorp College,
Ellis Nagar Post,
Dharapuram-638 657,
Tirupur District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Secretary,
Department of Higher Education,
Fort St. George, Chennai-600 009.
2. The Director of Collegiate Education,
College Road, Chennai-600 006.
3. The joint Director of Collegiate Education,
Race Course, Coimbatore Region,
Coimbatore-641 018.
4. The Bharathiar University,
Represented by its Registrar,
Coimbatore-641 046. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records relating to the impugned proceedings of the 4th respondent Bharathiar University in Ref.No.BU/R/A1-A/2016/Thorp/24556, dated 30.11.2017 informing the petitioner college that it is de-affiliated from the 4th respondent University and the petitioner college should not make admission from the academic year 2018-2019 and quash the same.

For Petitioner : Mr.Godson Swaminathan

For R1 to 3 : Mr.M.C.Munusamy,
Special Government Pleader

For R4 : Mr.K.Venkataramani,
Senior Counsel for
Mr.V.Selvaraj

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Certiorari to call for the records relating to the impugned proceedings of the 4th respondent Bharathiar University in Ref.No.BU/R/A1-A/2016/Thorp/24556, dated 30.11.2017 informing the petitioner college that it is de-affiliated from the 4th respondent University and the petitioner college should not make admission from the academic year 2018-2019 and quash the same.

2. The petitioner has challenged the said order on the ground that no reasons are assigned therein and that the de-affiliation of the petitioner-College from the Bharathiar University is arbitrary and on that sole ground, the impugned order needs to be interfered with.

3. Mr.K.Venkatramani, the learned Senior Counsel appearing for the fourth respondent-Bharathiar University submitted that after considering the matter in detail, the Committee that has been constituted in that regard, came to the conclusion that the petitioner-College has got to be de-affiliated from the Bharathiar University.

4. Without going into the merits in the matter, as the impugned order dated 30.11.2017 is a cryptic order and that no reasons are assigned and that the detailed reasons have got to be given for de-affiliation of the petitioner-college, even though, it may be correct that the Committee would have been constituted for considering the affiliation/de-affiliation of the petitioner-College, this Court interferes with the impugned order. However, this will not preclude the fourth respondent-University/Committee to cause an inspection and do necessary act that is required for the purpose of granting affiliation. If any inspection is already done, it is open for the fourth respondent-University/Committee to pass a detailed order afresh, on merits and in accordance with law, after following the statutory provisions and after hearing the petitioner.

5. The Writ Petition is allowed in the above terms. No costs. Consequently, the connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

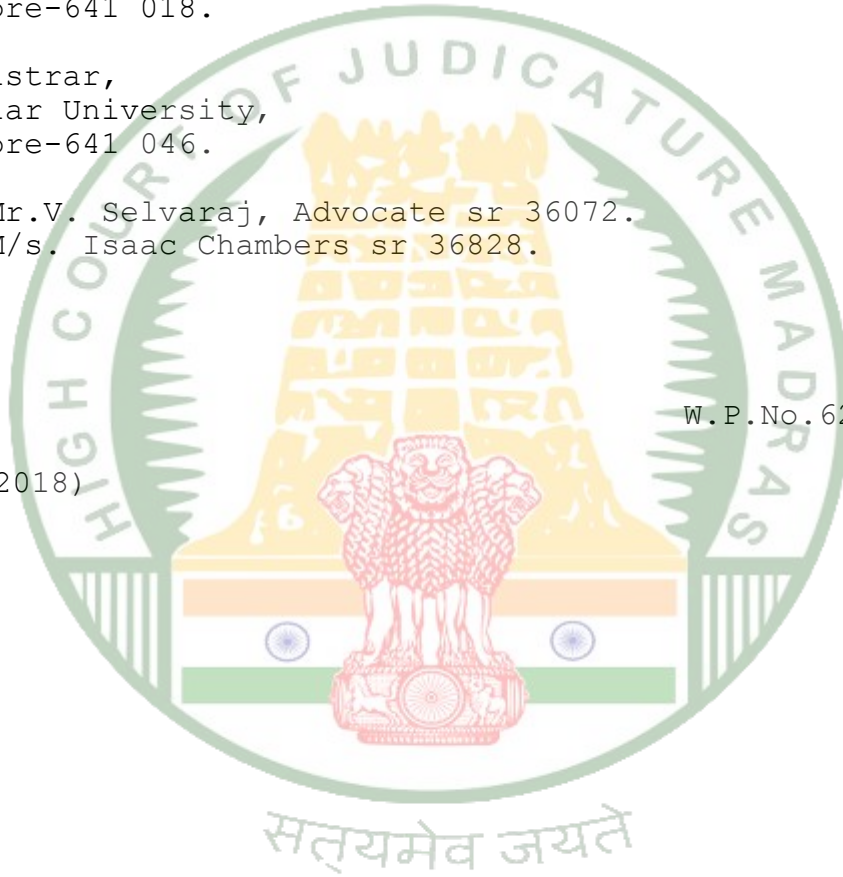
cs/dss

To

- 1.The State of Tamil Nadu,
Rep by its Secretary,
Department of Higher Education,
Fort St. George, Chennai-600 009.
 - 2.The Director of Collegiate Education,
College Road, Chennai-600 006.
 - 3.The joint Director of Collegiate Education,
Race Course, Coimbatore Region,
Coimbatore-641 018.
 - 4.The Registrar,
Bharathiar University,
Coimbatore-641 046.
- +1 CC to Mr.V. Selvaraj, Advocate sr 36072.
+1 CC to M/s. Isaac Chambers sr 36828.

W.P.No.623 of 2018

SP(20/06/2018)



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